

FEDERAL ENERGY REGULATORY COMMISSION  
Washington, D.C. 20426

November 14, 2003

Overland Trail Transmission, LLC  
Docket Nos. PR03-12-000 and  
PR03-12-001

Overland Trail Transmission, LLC  
900 Republic Plaza  
Denver, Colorado 80217

Attention: W. J. White  
Director, Rates & Technical Services

Reference: Stipulation and Agreement

Ladies and Gentlemen:

1. The Stipulation and Agreement (Settlement) filed by Overland Trail Transmission, LLC (OTTCO) on October 17, 2003 reasonably resolves the issues in this proceeding, produces a fair and equitable rate, and therefore, is approved. This order will benefit OTTCO's current and potential shippers by affording them with alternative transportation services at a reasonable rate.
2. The following is a summary of the major provisions of the Settlement.
  - a. Effective April 1, 2003, the maximum fair and equitable rate for NGPA Section 311 transportation service performed on OTTCO's system is a maximum volumetric rate of \$.2392 per MMBtu. OTTCO is authorized to recover fuel and lost and unaccounted for gas on a pro rata basis, effective April 1, 2003.
  - b. OTTCO agrees to revise its Statement of Operating Conditions (SOC) to remove references to the Wapiti service; reflect that it will charge fuel monthly on a pro rata basis, based on the throughput of Shippers who use compression on the OTTCO system; reflect that it will charge lost-and-unaccounted-for gas monthly on a pro rata basis, based on the throughput of all Shippers; and revise Section 8(B) to clarify that for all Shippers, the

prepayment amount will be calculated based on a three (3) month period. OTTCO agrees to file its revised SOC within 30 days of the date the Commission approves the Settlement.

- c. On or before April 1, 2006, OTTCO shall file a petition for rate approval pursuant to 18 CFR § 284.123(b)(2) to justify its current rate or to propose a new rate.
3. OTTCO represents that it has not charged rates in excess of the rate specified in 2(a) above, subsequent to April 1, 2003 for Section 311 transportation service performed on its system. Accordingly, no refunds are due.
4. The provisions of the Settlement shall not become effective unless and until the Commission issues an order accepting and approving all terms and conditions of the Settlement and such order becomes final and no longer subject to rehearing.
5. Initial comments on the Settlement were due by October 27, 2003, and reply comments were due by October 31, 2003. No comments were received.
6. This letter order does not relieve OTTCO of its obligations to file the required reports under Part 284 of the Commission's regulations. The Commission's approval of this Settlement does not constitute a precedent regarding any principle or issue in this proceeding.

By direction of the Commission. Commissioner Brownell concurring with a separate statement attached.

Magalie R. Salas,  
Secretary.

cc: All parties

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Overland Trail Transmission, LLC

Docket Nos. PR03-12-000  
PR03-12-001

(Issued November 14, 2003)

BROWNELL, Commissioner, concurring:

For the reasons set forth in Green Canyon Pipe Line Company, L.P. in Docket No. PR01-15-001, I would not impose a triennial rate approval requirement on Section 311 pipelines. Here, Overland Trail Transmission, LLC has agreed to make a triennial rate approval filing as part of an overall settlement. Therefore, I agree with the result of this order which is to approve an uncontested settlement.

Nora Mead Brownell  
Commissioner